

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

ALT SPORTS CARD FUND GP LLC, as
the General Partner of Alt Sports Card
Fund, L.P., ALT PLATFORM, INC.,

Plaintiffs,

v.

BECKETT COLLECTIBLES, LLC,

Defendant.

No. 3:22-cv-02867-N

BECKETT COLLECTIBLES, LLC'S
MOTION TO DISMISS AMENDED COMPLAINT

Pursuant to Federal Rules of Civil Procedure 8(a) and 12(b)(6), Defendant Beckett Collectibles, LLC ("Beckett") files this Motion to Dismiss Amended Complaint and asks the Court to dismiss Plaintiffs' Amended Complaint with prejudice. (*See* Am. Compl., at ECF 14.) Plaintiffs' Amended Complaint fails to state a plausible claim for relief for negligent misrepresentation under Texas law because Alt is not within the limited group of plaintiffs who can bring such a claim under the facts of this case. For the reasons set forth in Beckett's Brief in Support of Motion to Dismiss Amended Complaint, filed contemporaneously herewith, the Court should dismiss Plaintiffs' Amended Complaint with prejudice because its defects cannot be cured.

Dated: March 27, 2023

Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that on March 27, 2023, the foregoing was electronically submitted to the clerk of court for the United States District Court for the Northern District of Texas using the Court's electronic filing system and that all counsel of record have been served electronically or as authorized by the Federal Rules of Civil Procedure.

/s/ Aaron Z. Tobin

Aaron Z. Tobin